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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
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Responses to the list of issues and questions with regard to the consideration of the combined third, fourth and fifth periodic reports

Jamaica*

General

Ques. 1

The process of preparing the fifth CEDAW periodic report is outlined as follows:

Letters were sent to Government agencies, women's NGO's and related stakeholders informing them of the nature/role of CEDAW and Jamaica's reporting obligation to CEDAW, and that preparation for the fifth periodic report would begin. The stipulated deadline for the report was given. In addition, copies of relevant Articles were sent to public and private sector entities for them to provide responses. The various institutions were given deadlines by which to send the requested information back to the Bureau.

The staff of the Bureau of Women's Affairs was responsible for collecting this information from the various Government ministries/agencies and private sector entities.

The Government departments consulted include:

- Ministry of Education & Culture
- Ministry of Labour, Social Security & Sport
- Ministry of Health

* The annexes to the present report will be made available to the Committee in the languages in which they were received.
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- Ministry of Foreign Affairs and Foreign Trade
- Ministry of Agriculture
- Ministry of Security & Justice
- Attorney General's Chambers
- Legal Reform Department
- Poverty Eradication Unit, Office of the Prime Minister (OPM)
- Cabinet Office, OPM
- Planning Institute of Jamaica
- Immigration and Passport Office

Please note also that although these core ministries were directly consulted, there are subjects that fall under agencies of these Ministries, which would necessitate at times the agencies being contacted to provide information under their purview and to address any concerns and clarify any issues as necessary.

Government's statistical documents were also utilized e.g. the Economic and Social Survey of Jamaica, the Statistical Digest, the Survey of Living Conditions, UWI statistics other research periodicals and materials, as well as newspaper clippings to augment the information provided. Information was also drawn from annual reports provided by women's and other NGO's.

After the information was collected, a consultant was hired to pull the information/data together in a coherent and systematic manner, analyze the data and re-structure/re-write the draft document.

The draft document was sent to the various contributing entities which had responded to the requests, to ensure that information provided was accurate and concerns and comments could be registered and amendments made, before submission to the Human Resource Council (HRC), a sub-Committee of Cabinet, for approval. The Bureau was given a date to attend the HRC to discuss the document.

Representatives from the Bureau attended the HRC meeting and the Executive Director of the Bureau gave an overview of the Report. Some discussions ensued and the Bureau was asked to make a few relatively minor adjustments to the Report before it could be ratified by the HRC to be sent for Cabinet approval.

The adjustments were made, a Cabinet Submission prepared and the Report tabled and approved by Cabinet for submission. The document was then sent to the Ministry of Foreign Affairs and Foreign Trade which forwarded the report to the UN CEDAW Committee.

Ques. 2

Constitutional, legislative and institutional framework and status of the Convention

There is an argument that the Constitution prohibits laws which are discriminatory on the basis of sex, arising from the language of Section 13 of the

Constitution. While this provision does not expressly create rights, for individuals, it states that every person in Jamaica is entitled to specified fundamental rights and freedoms, "*whatever his/her race, place of origin, political opinions, colour or* ***sex***."

In the Privy Council decision of ***Neville Lewis v The Attorney General of Jamaica and the Superintendent of St. Catherine District Prison***, delivered on September 12, 2000, their Lordships held that section 13 did create the right to the 'protection of the law' and to 'due process'. If section 13 may create rights in one context, it may arguably do so in the context of gender discrimination as well. The considered view of the Chambers however, is that section 13 operates as a preamble and therefore does not in itself create rights.

The proposed Charter of Rights will ensure that discrimination on the basis of sex is unequivocally prohibited in the Constitution. Section 13 (3) (i) (i) of the proposed Charter provides for "*the right to freedom from discrimination of – (i) sex, that is to say, male or female.*" The Charter therefore guarantees the right to freedom from discrimination because of sex.

Jamaica's intention to avoid discrimination is underscored by the fact that the Jamaican Constitutional Commission 'unanimously and unhesitatingly' recommended that the word '**sex**' be expressly included in the non-discrimination provision of the revised Consultation.

The proposed Charter has been tabled in Parliament and is presently before the Joint Select Committee of Parliament. Once it is debated and passed in the Upper and Lower Houses of Parliament, it will become law. This procedure is a significant feature of Jamaica's democratic process because it allows for proposed legislation to be debated. Under parliamentary procedure; the enactment into law of the Charter will require a constitutional amendment and therefore a special majority vote of both Houses of Parliament (including some degree of opposition support).

Ques. 3 – Attorney General to supply information

Employment (Equal Pay for Men and Women) Act 1975

Although the Act has not yet been amended, the discriminatory practice of using different titles for the same work being performed by a man and woman, with the male being accorded the obviously more important title no longer takes place in practice.

The Women (Employment of) Act 1942

Although this Act has not yet been repealed what exists in practice is that women are employed in night work in a number of fields, e.g. as airline pilots, nurses, security guards, and in fast food outlets.

Incest (Punishment) Act 1948

There is a related Bill before Parliament. The Bill seeks to create a single, gender-neutral incest offence by persons aged sixteen years or over. The scope of the principal Act is also broadened to include, *inter alia*, the aunt and uncle, nephew and niece, in *loco parentis* and 'step' relationships. The Bill also re-classifies the offence of incest as a felony, with a maximum penalty of life imprisonment.

Offences Against the Person Act 1864

This Act is still up for amendment.

Sexual Harassment

Jamaica has, as yet, no legislation dealing with sexual harassment in the workplace. Issues of sexual harassment workplace, may, however be addressed by reference to the common law. Presently a Sexual Harassment policy is being developed towards legislation. The proposed legislation is expected to also to cover employment, educational and health institutions. A series of consultations have already been held in this regard. A dratt policy document is presently being discussed and refined by relevant stakeholders for submission to the Human Resource Council of Cabinet. It is projected that the policy should be finalized and submitted to the HRC by October 2006.

Ques. 4

Property (Rights of Spouses) Act, 2004

The Family Property (Rights of Spouses) Bill of 1999 has been renamed, the word "Family" having been dropped from the long title. It is now entitled Property (Rights of Spouses) Act which was passed in 2004. The Act gives certain rights to "spouses" in respect of property. The term "spouse" includes woman who has cohabited with a single man as if she were in law his wife for a period of not less than five years. The Property (Rights of Spouses) Act will allow for the equitable distribution of property upon the breakdown of a marriage or common law union after five years. The Property (Right of Spouses) Act became effective on the 27th day of March 2006.

Maintenance Act, 2005

The Maintenance Act was passed in 2005 and is a companion Act to the Property (Rights of Spouses) Act 2004. This Act will allow for spouses to maintain each other; for parents to maintain their children and grandparents to maintain their grandchildren. A spouse will be obliged to maintain the other spouse in circumstances where they cannot practicably meet the whole or part of those needs having regard to (a) circumstances specified in Section 14(4) of the Act and (b) any other circumstances which, the Court deems fit.

In cases where an application is made for the division of property under the Property (Rights of Spouses) Act, the Court hearing the proceedings under the Property (Rights of Spouses) Act may make a Maintenance Order in accordance with the provisions of the Act.

Formulation of New Policies

The Government of Jamaica established a Gender Advisory Committee (GAC) in 2004. In keeping with the thrust towards gender equality, one of the main objectives of the Committee is to advise the Government on the strategic policy direction for the gender portfolio. The GAC is mandated through a consultative process to identify strategies to address obstacles to gender equality in key sectors of the society. The consultative process, which was anchored by the Bureau of Women's Affairs, has now ended and a National Gender Policy is presently being

developed and should allow for gender to be more definitively mainstreamed in public policies, programmes and plans. It is projected that the National Gender Policy should be finalized by September 2006.

Ques 5

Stereotypes and Education

Both boys and girls are exposed to the same educational curriculum between Grades One through to Nine. Beyond Grade Nine, students are allowed to select the subjects of their preference. There seems to be a gender bias among the choice of subjects as girls are over-represented in the humanities and the boys in the sciences. **This, however, is not as a result of lack of access of any gender to any subject area or any coercion by the Ministry of Education and Youth** but from cultural socialization that needs to be consistently addressed by public education. Public awareness programmes will lessen the influence of peer pressure as well as parental influence on students. The Bureau of Women's Affairs, other Government Ministries as well as NGO's dealing with gender issues have been conducting public awareness programmes to lessen the influence of gender stereotypes. The Ministry of Education, Youth and Culture has been reviewing textbooks, curricula and other materials in an effort to rid the education system of sex stereotyping.

The education system does not place students in different branches/streams/tracks in a deliberate way. The system does dictate that each student should be at a particular level by a certain age up to secondary level education. Girls and boys are given equal opportunities to perform well and therefore their representation in any particular stream is dependent on the performance of individuals. Girls are also allowed the freedom to choose any type of studies they wish and are not deterred from doing so by anyone.

Ques. 6

In 2003, the Government of Jamaica through the Broadcasting Commission instituted a Charter and Code for Children and Programming. The Code is a legal instrument with legal provisions. The Charter seeks to address the harmful content of electronic mass media. The principles of the Charter speak to any harm inherent and to stereotypical behaviour.

The principles are focused on how the media handle recognized areas of sensitive visual and/or aural content including:

- Portrayals and descriptions of violence
- Portrayals and descriptions of sexual activity
- Use of profanity, obscenity, violent sexist language and racist language
- Gender stereotypes
- Portrayals and descriptions of disable persons
- Portrayals and description of adherent of any religion

Other attempts to address negatives stereotypes and images which demean women are being initiated by other non-governmental organization groups e.g. Jamaica Federation of Musicians, Women's Media Watch, among others.

Ques. 7

Education at the Primary level, though not compulsory, is free of cost. It is important to note that although education is not compulsory, there is almost 100% enrolment. This enrolment is not reinforced by attendance.

School fees are not discriminatory, as all students are required to pay fees at the secondary level. However, all students who are in need of assistance, access aid through the Programme of Advancement Through Health and Education. (PATH), Textbook Programme (all students access book for the core subjects through this programme) as well as the Social Economic Support Programme (SESP- this is one in which the students can access help through their Members of Parliament). The Ministry of Education and Youth (MOE&Y) also pays the school fees for those who are unable to do so until they leave school. There is no statistical evidence as to the impact on these fees on girls' access to education.

Ques. 8

Background- In recognition of the need for the development of a different approach to Health and Family Life Education (HFLE) at a regional as well as a local level, CARICOM developed a model HFLE curricula framework. This framework seeks to empower young persons with critical life skills to manage the challenging realties of life by establishing standards and core outcomes for what should be taught within HFLE at the upper primary and lower secondary grade levels (9-14 years of age). The Framework anchors the life skills education to the following primary themes:

- Sexuality and Sexual Health: This seeks to increase children's competence in assertiveness, healthy self-management, and coping skills among others, as it relates to the prevention and reduction of the incidence of HIV/AIDS.
- Self and Interpersonal Relationships: This seeks to develop children's understanding of the different forms of violence in relationships at home, school and community, thus building their conflict resolution, mediation and anger management skills
- Eating and Fitness: This promotes healthy lifestyle skills and practices among children
- Managing the Environment: This equips children with critical thinking and problem solving skills to respond to natural or man-made environmental threats.

In 2005, this model framework was used to revise Jamaica's HFLE curriculum: grades 1-6 and 7 to 11. Complimentary age appropriate resource materials have also been developed, especially using participatory techniques to foster the development of life skills. A baseline survey was administrated and a preliminary design for monitoring and evaluating the curriculum pilot and the instruments were prepared under a previous research consultancy (supported by Global Fund). The pilot, testing both the revised curricula and new resource materials, is taking place between January and June 2006.

The HFLE revised curriculum is being piloted in twenty-four (24) schools in Regions 1, 3, 4 and 6. A baseline study was conducted in these schools and the findings are discussed below.

Methodology- Two questionnaires were developed for teachers and principals. They were piloted and validated by the steering committee, and were administered by the field officers attached to the project. Data processing and report writing were done by the Programme Monitoring and Evaluation Unit (PM &EU).

General Information- Data were collected from twenty-one (21) of the twenty four (24) pilot schools. Of these 57%) were on shift and 42.9% on regular organization. Of the twenty-one (21) principals one was from Region 3 as table 1 below indicate.

Table 1: Principals in survey by Regions

Regions	*No.*	*%*
1	9	42.9
3	1	4.8
4	4	19.0
6	7	33.3
Total	**21**	**100**

The data from the table indicate that principals from regions 1 and 6 comprise 76.2% of all principals in the four regions.

Four school types were present.

- 7 Primary
- 2 All Age
- 5 Primary and Junior High School
- 7 Secondary High

In terms of school size (enrolment) the majority was over one thousand five hundred as table 2 below indicates.

Table 2. Enrolment in Schools

Enrolment	*No.*	*%*
<100	-	-
101-500	2	9.5
501-1 000	6	28.6
1 000-1 500	3	14.3
>1 500	10	47.6
Total	**21**	**100**

The data in the table indicates that thirteen schools or 61.9% had an enrolment of over one thousand students.

Teaching HFLE in schools

Principals were asked to rate the importance of teaching the HFLE themes in their schools, their response are in table 3 below. Importantly, the study will use Level 5 as the point of reference.

Table 3. Principals ratings of the HFLE themes

	Level of Importance						
Themes	*1*	*2*	*3*	*4*	*5*	*N/R*	*Total*
Sexuality and Sexual				9.5	85.7	4.5	100
Health	-	-	-	2	18	1	21
Self and Interpersonal				9.5	90.5		100
Relationships	-	-	-	2	19	-	21
Eating and fitness			14.3	23.8	61.9		100
	-	-	3	5	-	13	21
Managing the environment			4.8	28.6	-	66.7	100
	-	-	-	1	6	14	21

The table indicates that the majority of all principals felt that the four themes are very important to be taught in their schools. Of particular importance is the fact that the first two themes (Sexuality and Sexual Health), (85.7%) Self and Interpersonal Relationships) (90.5%) received responses from eighty percent of the principals. Principals, therefore, felt that among the four themes, the first row are the more important to be taught.

Relationship with HFLE

Of the twenty-one principals, thirteen or about (62%) noted that they have been sensitized to HFLE the others were not. Of those sensitized three or 14.3% stated that they were trained to teach HFLE.

Principals' Comfort Level

Principals were asked to rate their comfort levels' regarding the teaching of the themes in the schools table below:

Table 4. Comparison of Principals' Views on Importance and Comfortable

Theme	*Importance*	*Comfort*
Sexuality and Sexual Health	85.7	71.4
Self and Interpersonal Relations	90.5	76.2
Eating and Fitness	61.9	90.4
Managing the Environment	66.7	81.0

The table indicates that the majority of principals are comfortable with the teaching of each theme in their schools. But the comfort level varies; Sexuality and

Sexual Habits has the lowest comfort level, 71.4%. This is followed by self and interpersonal relationship with seventy six percent (76.2%).

These two themes have the lowest number of principals being very comfortable with teaching them in the schools. The other two themes have over eighty percent of principals being very comfortable with the teaching of the themes in the school.

Impact of the delivery of HFLE

Principals were asked what opportunities and constraints impact the delivery of HFLE. The non-response was over fifty percent. For opportunities close to twenty four percent cited the presence of the Guidance Counsellor as being important. For constraints principals note time and lack of resources.

Non-response was also over fifty percent regarding opportunities and constraints outside the school that impact HFLE delivery.

Ques. 9

To date, since the ratification of the Inter-American Convention for the Prevention, Punishment and Eradication of Violence Against Women no in-depth measures have yet been put in place. The Bureau of Women's Affairs has been and continues to highlight the Beijing Platform for Action, the CEDAW and the Belem do Para Convention at its public education and sensitization sessions on violence against women/gender based violence. The Bureau's strategic plan for 2005-2008 outlines a public education strategy which includes initiatives to educate and sensitize the judiciary, public sector staff and other stakeholders, on the Belem do Para Convention, the CEDAW, the Millennium Development Goals (MDG's), the Convention on the Rights of the Child (CRC) and other such agreements. Brochures and pamphlets on the issues will also be developed to assist in information sharing and awareness-raising. Partnerships are also being brokered with various media houses to facilitate the discussion and dissemination of information on these Conventions and Charters.

Ques. 10

Measures taken at highest level to counteract violence against women.

- Domestic Violence Act, 1995 recently amended to give greater coverage and protection to victims (already outlined above)
- Recent ratification of the Belem do Para Convention
- Centre for Investigation of Sexual Offences and Child Abuse - investigates and addresses all allegations of sexual abuses, which include rape, incest, carnal abuse. There are centres in most of the 14 parishes in Jamaica with female police officers who take reports and provide guidance for sexually abused persons. The centre also provides for the rehabilitation of victims through counselling and therapy.
- National Task Force Against Trafficking in Persons (NATFATIP) – (more details on Task Force provided below at Question 12)

- Victim Support – provides support for victims of crime including domestic violence and sexual abuse; also assists victims of these abuses in terms of court preparation
- Crisis Centre – yearly Government subvention given to assist the work of the Centre
- Legal Aid Department – government department which assists individuals who are not able to afford legal representation for matters including sexual violence and domestic abuse
- Office of the Ombudsman/Public Defender – Addresses human rights issues including matters of violence against women
- Sexual Harassment policy being developed towards legislation
- Child Care and Protection Act, 2004 - one of its main provisions is the establishment of a central registry for the reporting of sexual and other abuse of children and for appointment of a Child Advocate (elaborated on in Question 12 below)
- Community Policing – helps in addressing issues of violence including domestic violence in communities
- Courts – Justice System
- Health Centres - A register is kept at all health centres on sexual abuse and suspected or reported cases are recorded and reported to social workers for investigation and after care
- Social Conflict and Legal Reform Programme – five-year pilot project targeting five (5) inner city communities to allow citizens of the selected pilot communities to amicably settle their disputes, including domestic disputes/violence
- Dispute Resolution Foundation - mediates in civil disputes through mediation and conciliation processes
- Crime Watch - Recently the Jamaica Constabulary Force (JCF) has using females to be a part of this programme in the drive to combat various types of crimes

Ques. 11

The UN agencies gave support to the Government of Jamaica to implement the following policies, strategies, plans and legislation which supports programmes for adolescents in these age groups:

- Gave assistance to the development of a National HIV/AIDS Policy (PAHO)
- Provided technical support for the revision of the National Youth Policy (to include HIV/AIDS components), (PAHO, UNICEF, and UNFPA)
- Launched strategy "Education and HIV/AIDS in the Caribbean" October 2003 (UNESCO)

- Provided technical and financial support for the development of the National Plan of Action to Orphans and Other Children made vulnerable by HIV/AIDS (UNICEF)
- Supports the development of the National Policy Guiding Access of Minors to Contraceptives (UNICEF and UNFPA) and its dissemination (UNICEF)
- Provided technical and financial support for the integration of Reproductive Health Rights in the National Youth Service Programme (UNFPA)

(Please also refer to questions 19, 20 and 21 which have some overlaps)

Ques. 12

The Government has been taking active steps to eliminate gender-based violence, including human trafficking. These measures include: the enactment of legislation, amendments to existing legislation, drafting of new legislations, and public education.

The Child Care and Protection Act (CCPA) has been enacted and contains a specific clause which provides protection against offences including:

- carnal abuse
- causing and allowing children to beg
- child stealing
- cruelty involving money benefit
- employment of underage children
- employment of children in indecent purposes
- employment of children in night clubs or permitting children to enter in night clubs
- encouraging prostitution of children under 16 years of age, inducing, procuring or encouraging defilement of young girls or allowing them on premises to be used in indecent activities.

The CCPA imposes restrictions on the employment of children, which includes child selling and trafficking. Many of these activities affect girls.

Jamaica has been taking active steps to deal with Trafficking in Persons (TIP). It has established a National Task Force Against Trafficking in Persons (NATFATIP). This body is responsible for overseeing the National Plan of Action on TIP. The National Plan of Action stipulates the measures to be adopted to deal with TIP. A collaborative approach involving several organizations in the public sector as well as civil society has been taken to deal with the issue. The National Task Force has embarked on actions to address the challenges of protection, prevention and prosecution. Regional public fora have been planned for major cities in the country, including tourist resorts. One (1) has since been held. Anti-TIP Legislation is now being drafted to address the issue. Strategies for prevention, protection and prosecution are being embarked on and a mass public education campaign is underway to address TIP. The police are actively involved and have arrested

violators of various laws under which violence against women and trafficking would fall.

The Bureau of Women's Affairs regards trafficking in persons as a form of gender-based violence and has integrated it in the public education programme. In addition to the activities of other Government ministries, the Bureau of Women's Affairs has so far conducted 25 workshops in schools and communities on the issue. Furthermore, the Bureau of Women's Affairs has started another series of public education activities to raise awareness of TIP amongst guidance counsellors, teachers, students, young persons, at-risk youth, faith-based organizations, community groups, civil society, private and public sector employees, parents and social workers. Eighteen workshops are slated for the next six months.

The Child Development Agency is also conducting two separate focus group sessions, four specialized counselling training sessions, and developing an educational service manual for crisis counselling. The workshops will improve the understanding of the target groups on TIP, share common experiences and assist service providers to recognize and respect the rights and individuality of TIP victims.

Peoples Action for Community Transformation (PACT), an NGO has also contributed to raising awareness on trafficking in persons through the sensitization of specific stakeholders and the general public.

Ques. 13 (a)

Temporary Special Measures

In relation to the issue of under representation of women in political and public life, no temporary special remedies have been put in place to accelerate de facto equality between men and women as provided for in Article 4 of the Convention. However, the decision whether to introduce special temporary measures is a policy question for the Executive (Cabinet). In making that decision, the Executive will naturally consider the progress that has been made in Jamaica in recent years.

Jamaica now has its first female Prime Minister and there are two other full Cabinet Ministers in a Cabinet of 14 Ministers. In the Lower House of Parliament 7 of the 60 members are female, while in the Upper House of Parliament 5 of 21 members are female.

It is obvious from the above data that a male female imbalance persists in the sphere of political representation at the highest levels. In respect of special temporary measures, a quota system could be applied. The Bureau has been actively involved with the Jamaica Women's Political Caucus (JWPC) towards the piloting of a resolution to the Upper House of Parliament, to increase the number of women in Parliament via a 30% quota system consistent with UN stipulations. Discussions have been generated at various levels and in the media. One obstacle to the implementation of a quota system in Parliament is Jamaica's ***first past the post system*** that does not facilitate such an approach. In this regard constitutional amendment would be required to modify the system. This will entail public consultation, discussions at political party and other levels. It could even necessitate a referendum.

It should be pointed out however that women in Jamaica have been and continue to be successful in various sectors of the economy including finance, business, law and government. Some of the entities in which women now hold the highest positions in Jamaica include:

- The Jamaica Manufacturers' Association
- The Jamaica Exporter's Association
- The Petroleum Corporation of Jamaica
- The Registrar General's Department; and
- The University of the West Indies (Principal)

In the legal profession, the two most recent part presidents of the Jamaica Bar Association are women. In the Attorney General's Chambers 28 of the 38 Attorneys are female and in fact, approximately 80% of the yearly graduates of the Norman Manley Law School are female. It may also be noted that the Chief Parliament Counsel and the Director of Legal Reform in Jamaica are women who have recently been elevated to 'Queen's Counsel' status. Women are also well represented on the bench.

In the medical profession there are many specialist female doctors and some have become professors of medicine.

Ques. 13 (b)

The Bureau of Women's Affairs is a representative on the Jamaica Women's Political Caucus General Committee, the Institute of Public Leaderships sub-Committee and the Madame Rose Leon Memorial Lecture sub-Committee. (Madame Rose Leon was a pioneering female Jamaican politician).

The Bureau's involvement entails general assistance with administration and coordination of activities and scheduled/special events and training to encourage and equip women to participate in political and public life.

The Bureau's community initiatives, general public education programmes and schools' education initiative on gender issues also encourage and promote female participate in the public sphere.

The Government of Jamaica through the Bureau of Women's provides an annual subvention to the Caucus to support the work of its secretariat and assist with funding for the annual Madame Rose Leon Lecture series.

Ques. 14

Table 5. Main Labour Force Indicators by Gender, 2003 & 2004 ('000)

	2003 (revised)	*2004*
Both sexes		
Labour Force	1 189.7	1 194.8
Employed Labour Force	1 054.1	1 055.2
Unemployed Labour Force	135.6	139.6
Unemployment Rate (%)	11.4	11.7
Job-seeking Rate (%)	5.0	6.1
Labour Force Participation Rate (%)	64.4	64.3
Male		
Labour Force	663.3	663.5
Employed Labour Force	611.7	610.9
Unemployed Labour Force	51.6	52.6
Unemployment Rate (%)	7.8	7.9
Job Seeking Rate (%)	3.7	4.4
Labour Force Participation Rate (%)	73.7	73.3
Female		
Labour Force	526.4	531.3
Employed Labour Force	442.4	444.3
Unemployed Labour Force	84.0	87.0
Unemployment Rate (%)	16.0	16.4
Job Seeking Rate (%)	6.6	8.3
Labour Force Participation Rate (%)	55.6	55.8

Source: Statistical Institute of Jamaica

Labour force

In 2004 the total Labour Force was comprised of 1 194 800 persons of which 44.5 per cent were female. The Employed Labour Force was estimated at 1 055 200 (88.3% of total) and the Unemployed Labour Force was 139 600 with an unemployment rate of 11.7%. There were 87,000 unemployed females, which represent 62.3% of the unemployed labour force. The female unemployment rate was 16.4 per cent, appreciably higher than the overall unemployment rate of 11.7 per cent while that for men was 7.9 per cent. The 2004 outturn retains the essentially 2:1 ratio of female-to-male unemployment.

The Labour Force Participation Rate (LFPR) is defined as the number of persons in the labour force (aged 15 – 64 years, currently employed or actively seeking employment) expressed as a percentage of the general population. The overall LFPR was 64.3 per cent in 2004. The participation rate for men however, was 73.3 per cent, as against 55.8 per cent for women. Although the participation of females is consistently below that of males, there has been a gradual decline in the

gender participation rate gap over the past twenty years from 21.6 percentage points to 17.5.

Table 6. Employed labour force by age group and gender - 2004 ('000)

Age group	*Males*	*Females*
Total	**610.9**	**444.3**
14-24 yrs (Youth)	93.5	58.7
25 yrs and over (Adult)	517.3	385.5
25-34 yrs	170.3	130.6
35-44 yrs	152.0	126.7
45 yrs and over	195.0	128.2

Source: Statistical Institute of Jamaica

Table 7. Employed Labour Force by Gender & Occupational Group - 1994 & 2003

Occupation Group	*1994 '000*	*%*	*2003 '000*	*%*
Both sexes				
Professionals, Senior Officials and Technicians	107.4	11.6	178.7	18.7
Clerks	77.5	8.4	86.9	9.1
Service Workers, Shop and Market Sales Workers	113.6	12.3	154.0	16.1
Skilled Agricultural and Fishery Workers	185.1	20.1	177.3	18.6
Craft and Related Trades Workers	164.1	17.8	144.2	15.1
Plant and Machine Operators and Assemblers	60.2	6.5	54.3	5.7
Elementary Occupations	204.1	22.1	159.1	16.7
Occupation not Specified	11.2	1.2	0.3	0.0
Total	**923.1**	**100.0**	**954.6**	**100.0**
Male				
Professionals, Senior Officials and Technicians	46.5	8.9	73.9	13.4
Clerks	17.1	3.3	22.0	4.0
Service Workers, Shop and Market Sales Workers	47.4	9.1	61.5	11.1
Skilled Agricultural and Fishery Workers	148.1	28.5	146.9	26.6
Craft and Related Trades Workers	135.4	26.0	127.0	23.0
Plant and Machine Operators and Assemblers	37.9	7.3	47.6	8.6

Occupation Group	1994 '000	%	2003 '000	%
Elementary Occupations	80.2	15.4	73.5	13.3
Occupation not Specified	7.3	1.4	0.1	0.0
Total	**519.9**	**100.0**	**552.3**	**100.0**
Female				
Professionals, Senior Officials and Technicians	61.0	15.1	104.5	26.1
Clerks	60.5	15.0	64.9	16.1
Service Workers, Shop and Market Sales Workers	66.1	16.4	92.6	23.0
Skilled Agricultural and Fishery Workers	37.0	9.2	30.4	7.5
Craft and Related Trades Workers	28.6	7.1	17.2	4.3
Plant and Machine Operators and Assemblers	22.4	5.6	6.8	1.7
Elementary Occupations	123.8	30.7	85.6	21.3
Occupation not Specified	3.9	0.9	0.2	0.0
Total	**403.2**	**100.0**	**402.3**	**100.0**

Source: Statistical Institute of Jamaica

The Jamaica Standard Occupational Classification (JSOC-91) is based on the international Standard Classification of Occupations (ISCO-88) and has been used by STATIN since 1993, for categorizing occupations into seven main groups.

The most recently available disaggregated data on employment by sex and occupation makes a comparison between 1994 and 2003. The Labour Market Information Newsletter, 2005 notes that the principal occupations of males was Skilled Agriculture and Fishery (28.5 per cent) and Craft and Related Trades (23 per cent). There was a lesser male presence (13.9%) in Elementary Occupations such as messengers, drivers and labourers.

In 1994, the principal occupations of females were Elementary occupations (30.7 per cent). By 2003 there was marked enhancement in the status the employed labour force as a result of the large increase in the percentage share of employment in the Professionals, Senior Officials and Technicians category, moving from 15.1 percent in 1994 to 26.1 percent in 2003; accompanied by a decline in the percentage share of total female employment in Elementary Occupations from 30.7 per cent to 21.3 per cent.

Females continue to dominate in terms of numbers, in traditional professions such as teaching and nursing which are not high income earners. Within the teaching profession for instance, despite clear female dominance in numbers, at the highest levels there is still a male majority. Some 6.3 percent of the 16 841 females in the public school system were principals and vice principals as compared with the 9.9 percent of the 4,830 males in the Education sector (Source: Ministry of Education Youth and Culture, 2003).

In 2002, roughly one half (50.1 per cent) of the male labour force worked forty (40) hours or less a week. Indications are females were more likely to work part-time or full-time (65.8 per cent) and less likely to work overtime (34.2 per cent). Males represented 76.9 per cent of all employed persons in more than one job. Similarly, gender disaggregation of employment by Employment Status indicates that more males are in the categories Employers (74.9 per cent) and Own Account Workers (64.4 per cent). Females represented 73.2 percent of 'unpaid workers'.

Allowances and benefits for executive and managerial positions, in addition to basic salary, include travel, housing, clothing, laundry, health insurance, cellular phone, gas allowance, credit cards, entertainment allowance, a fully maintained vehicle, and profit share. It should be appreciated that information on these allowance is not readily obtainable; neither is it sex disaggregated.

Ques. 15

The introduction of Flexible Work Arrangements[1] is one of the five areas of the Labour Market Reform Process and has been under consideration by the Labour Market Reform Committee since 1997. A Green Paper on Proposals for the Introduction of Flexible Work Arrangements was produced in 2002 by the principal social partners; the Jamaica Employers Federation, Jamaica Confederation of Trade Unions and the Government of Jamaica as a measure to facilitate the collective bargaining process. The advantages of flexible arrangement include:

- increased productivity and cost effectiveness within companies
- more attractive investment climate
- more efficient use of capital resources. In manufacturing, more productive work days per year and use of machinery for longer hours each day
- more time for family and personal interests.

The demand for flexible work hours is fuelled by the rapid onset of product technology, equipment technology and process technology, which essentially modernize production.

The most recent development is the commitment of the Minister of Labour and Social Security, who has identified this issue as a legislative priority of the 2006-2007 Financial Year. In tandem with this is a resolution passed by the leader of Government Business in the Senate (April 13,2006) to have the Labour Advisory committee (LAC) reconvened in order to conclude deliberations and to amend existing laws rather than to create new legislation. The pieces of legislation under review are:

- The Town and Communities Act
- Shops and Offices Act & Regulations
- Apprenticeship Act

[1] There are 7 variations of flexible work arrangements under consideration: Flex-time; Part-time work with benefits; Tele-commuting; Job Sharing; Compressed Work Week; Making Overtime Voluntary; and Shift Swaps.

- National Minimum Wage Order (1975)
- Minimum Wage (Garment Making Trade) Order
- Women (Employment of) Act (1961)
- Holidays with Pay Order (1973)

Ques. 17

The Women (Equal Pay for Men and Women) Act promotes equal pay for equal work and therefore gender discrimination in employment is expressly prohibited by law. Therefore advertisements for vacant positions are gender neutral.

Ques. 18

The International Labour Conference adopted a resolution on June 14, 2004 calling on Government, social partners and the ILO to take specific action on maternity protection among other areas. In this regard specific emphasis is being placed on maternity protection for workers from vulnerable groups. In particular, household workers have been identified and afforded redress under the National Insurance Scheme.

The recommendation for paternity leave is derived from the Review of Legislation (2000) and was premised on the need to strengthen the family structure. There is no provision for paternity leave in national legislation.

Ques. 19

19a. Comments from the Bureau of Women's Affairs on the Jamaica HIV/AIDS/STI Strategic Plan 2002-2006

The following are comments on the Jamaica HIV/AIDS/STI National Strategic Plan 2002-2006 with specific reference to gender analysis of this document. The Bureau of Women's Affairs has specific concerns in regards to the National Strategic Plan and the social and cultural aspects of HI V/AIDS and its increasing rates among women and girls.

- The Jamaican HIV/AIDS/STI National Strategic Plan uses verifiable indicators to indicate whether a particular goal such as the improvement of the social/economic well being of the people of Jamaica has been achieved. However, poverty levels among children and women, unemployment levels, teen pregnancy rates, STI rates and the number of cases of sexual assault, incest and domestic violence are not used as verifiable indicators.
- Despite the Jamaican HIV/AIDS/STI National Strategic Plan recognizing female unemployment being twice that of male unemployment, the higher number of female-headed households and the prevalence of violence against women, there is a need to expand programs designed to address gender based violence, sexual assault and incest, sex tourism and the increasing rates of HI V/AIDS among women and girls.

- Caregivers, both unwaged and waged, are overwhelmingly female and over burdened in Jamaican society. Recognition of this fact is required in the strategic plan and active practical support should be given to caregivers at home who care for persons with HIV/AIDS.

- Young boys have a higher dropout rate from schools than young girls. Therefore strategic efforts have to be made to educate these youth about HIV/AIDS/STI prevention. The interventions at schools will not reach those young boys who are dropouts. What interventions can be put in place to reach them?

- Concrete campaigns are required to address the abuse of power in sexual relations and the need to challenge the very construct of masculinity and femininity at all levels. For instance, the construction of the "traditional" male identity focuses on three elements: a) man's sexuality /sexual identity is measured by the number of consecutive or simultaneous female partners and the number of children produced from these relationships; b) a man's ability to fulfil his male role as protector and provider and c) a man's ability to exercise his authority over women and offspring, which is based on his ability to be the economic provider and protector. Women's "traditional" role centred in the domestic sphere as caregivers and mothers. This limited view forced some women to depend on male partners for money and material things in exchange for sex, domestic chores and child bearing. These gender roles and inequities contribute to the spread of HIV/AIDS/STI'S among women and girls and place unrealistic demands on men. Specific programs within schools, workplaces, churches, and community groups need to be in place to address the construction of masculinity and femininity, and women's vulnerability to HIV infection." (Bureau of Women's Affairs, April 17, 2003).

19b. Steps taken to incorporate these suggestions, with a timeline for implementation

The National Strategic HIV/AIDS Plan 2002 -2006 is in final year of operation.

In acknowledgement of the active and practical support to caregivers who are overwhelmingly females the objectives; i) to provide support and assistance to PLWHA and their families and ii) to promote and enhance the capacity of families and community to develop care and support to those affected.

Through the Ministry of education the objective i) to strengthen out of school education and education of the public about children's needs responds to strategic efforts to educate youth about HIV/AIDS prevention.

The BWA has also strengthened it partnership with the National AIDS Committee; Community-based women's groups, MOH and the local clinics to educate faith-based individuals, community members and students on HIV/AIDS transmission and implications. Through public education issues such as myths and facts, incest, sexual assault gender-based violence and so on are dealt with and the linkages made to HIV/AIDS prevalence. These activities also include observance on World AIDS Day.

It is evident that the BWA also takes a proactive approach to ensure that some of these comments are addressed. (Please also see Question 11 above).

Ques. 20

20a. Attempts made to target adolescents in the National Family Planning Act and the Revised Population Policy Statement

The Revised Population Policy Statement articulates the issue of reaching Replacement Level Fertility (RLF) and contraceptive use. The target population is all women who fall within the reproductive years. In addition, the Plan of Action on Population and Development (1995) is directly linked to the Revised Population Policy Statement and explicitly addresses Adolescent Fertility.

The National Family Planning Act promotes Family Life Education, which includes sex education and contraceptive use. These programmes include training, which is aimed at equipping individuals, including adolescents, with the knowledge, skills and attitude to provide quality, youth-friendly reproductive health services. Those targeted for training were health providers in clinics and schools, school nurses, persons working with adolescents with special needs, social workers, parents, other caregivers and adolescents.

The National Family Planning Board (NFPB) has a Counselling Service and a toll free Emergency Contraceptive Programme Hotline. Parenting education is offered to pregnant teens, and print media (brochures, posters) and electronic media are used to disseminate information to adolescents. Special outreach activities (Child's Month Expo, Safe Sex Week, World AIDS Day etc.) are organized and executed in collaboration with agencies/ministries that have adolescents as their primary beneficiaries. (Source: National Family Planning Board website).

Earlier this year (2006) the NFPB relaunched the "morning after pill" as one of its methods to deal with the high rate of teenage pregnancies. (Inter Press Services News Agency, April 30, 2006).

According to the Ministry of Health Annual Report 2004, the three main sources through which adolescents access reproductive health information are the NFPB library; Marge Roper Counselling Services and Teen Seen (a television programme that highlights the experiences and issues surrounding adolescent sexuality and family planning).

20b. Other steps taken by Government to target Adolescent Reproductive Health in an effort to reduce teenage pregnancy

The Family Health Unit in the Ministry of Health reported that training sessions on contraceptive technology, counselling and policy on the provision of contraception to minors, were conducted by over 900 midwives, public health nurses and community aides. "There was expansion of access to reproductive health information and services to adolescents." (ESSJ, 2004. 23.8) The Access to Contraception to Minors was passed by Cabinet in 2003. Currently (May 2006), the MOH Policy, Planning and Development Division is preparing a Pre- Adolescent and Adolescent Strategic Plan for Youth Development.

The National Policy for the Promotion of Healthy Lifestyle in Jamaica (2004) also includes adolescent development and emphasizes a holistic approach to health issues, including of course, reproductive health matters.

Youth.Now, a Jamaica Reproductive Health Project in the MOH reported in its Fact Sheet (Oct. 2003) that the proportion of births to adolescents has decreased but in 2001 it still represented about one fifth (20.4%) of births.

Youth.Now established a number of youth friendly service-sites (including a number of clinics and health centres) across the island at which adolescents are able to receive counselling, life-skills information including information on sexuality; adolescent reproductive health; access to contraceptives; brochures; posters and hotlines.

"Youth.Now has a core of master trainers covering five groups of community-based outreach cadres: faith-based leaders, youth/peer leaders, leadership of parents' groups, men, and service providers. The master trainers and those subsequently trained are potent "personal communication agents" (persons with the knowledge, skills and empathy) for ARH." (MOH website, retrieved April 27, 2006).

Youth.Now has produced a number of training manuals and resource materials geared specifically for adolescents.

An Adolescent Sexual and Reproductive Health (ASRH) Training Curriculum for peer educators was published in 2004. The curriculum was prepared by the Advanced Training and Research in Fertility Management Unit (ATRFMU), University of the West Indies. The training curriculum is used as a tool to sensitize peer educators and community development workers.

The National Children Policy and The National Youth Policy also target adolescents as part of the effort to reduce fertility rates. The National Children Policy covers the age group 0-18 years, and the National Youth Policy covers 15-24 years. Adolescents, being 10-19 years, represent an intersection of both groups. The National Youth Policy facilitates a multi-sectoral approach to youth development and was tabled in Parliament in June 2005. The National Centre for Youth Development is preparing a 10-year National Strategic Plan for Youth Development as an accompanying document for the implementation of the National Youth Policy.

NGO support and small grants

A number of organizations have received grants to address issues surrounding adolescent sexuality and or adolescent reproductive health. Some examples are: Women's Centre of Jamaica Foundation; Rural Family Support Organization and Children First.

The Women's Centre of Jamaica Foundation offers a programme for adolescent mothers, to enable teenage girls to continue their schooling during pregnancy, return to the regular school system shortly after the birth of their children and to provide family planning education in order to prevent subsequent pregnancies during the teen years.

The Rural Family Support Organization operates under the name "The Roving Care Givers" and caters to teen-aged mothers. "The Roving Care Givers programme already has proven to be successful in Jamaica, has received international acclaim and has been adopted in many other countries."(Sectoral Debate 2005/2006)

Children First, targets adolescents and one of the major projects in which it is currently involved is The Uplifting Adolescents Project (UAP), a joint project of the Governments of Jamaica and the United States of America that targets adolescents

across the island. The UAP implementers are now in Phase 2, having successfully completed Phase 1. The primary responsibility of UAP2 is to improve the prospects for 10-18 years of age at-risk adolescents. There are 12 organizations across the island involved in this project. In addition to the abovementioned, other examples are Sam Sharpe Teachers' College; Jamaica Red Cross; YWCA National Council; YMCA, Kingston; and Jamaica association for the Deaf.

Ques. 21

21a. Information on all pertinent policies and programmes, and the impacts of these interventions

The National HIV/AIDS/STI Programme of the Ministry of Health targets the population in general through its various departments/units which are assigned specific responsibilities.

The Behaviour Change Communication Programme (BCC) in the Ministry of Health has outreach programmes and activities aimed at connecting with the general population but at times focuses on groups that are largely or purely female, for example sex workers, tertiary students, and mothers. The BCC also works in collaboration with NGO's such as parish AIDS committees to implement schools' intervention such as peer counselling and the Access to Contraception to Minors.

A programme in the National HIV/AIDS/STI Programme specific to women is the Prevention of Mother-to-Child Transmission (PMTCT). Mother-to-Child Transmission (MTCT) is estimated to account for 25% of all cases. The Ministry of Health believes that with appropriate intervention the MTCT can be reduced from 25% to 5%. Already the PMTCT has shown signs of success, as there is a decrease in the number of reported children with AIDS. There were fewer paediatric AIDS deaths (29 cases) in 2003 compared to 45 in the previous year. This could also be attributable to the improvement in care and treatment for HIV infected children and decrease in MTCT. The National programme PMTCT Prevention Strategies include:

- Primary Prevention
- Secondary Prevention
- Therapeutic Interventions
- Counselling for Pregnant women who test HIV positive
- Group Education
- Antenatal Follow up for HIV positive pregnant women.

Other pertinent programmes that are executed at the national level are the National Policy for HIV/AIDS Management in Schools and The HIV/AIDS Demand Driven Sub-Project (HADDS). The HADDS deals with HIV prevention through behaviour change and communication techniques; basic treatment and care for PLWHA and capacity building for NGOs. Though the initiatives are not specifically dedicated to women and girls, they are targeted in all programmes.

A number of condom-dispensing machines have been installed in easy access public areas such as race tracks, educational institutions and night clubs.

Ques. 22

22a. Steps that have been taken to formulate a clear policy, supported by legislation, on the issues of abortion

The issue of abortion and steps to be taken to address it may be deemed a work in progress. The most recent development took place in November 2005 when the Minister of Health announced the formation of a committee appointed to review the legislation regarding abortion.

22b. Assessment undertaken with regard to the prevalence of unsafe abortion and its effects

"The Ministry of Health commissioned a survey to assess the accessibility of abortions in Jamaica and to help guide policy, especially those regarding the use of emergency-contraception pills."

A study conducted in the Department of Community Health and Psychiatry at the University of the West Indies, stated that abortion is one of the five leading causes of maternal death in Jamaica.

The Medical Council of Jamaica (MCJ) has proposed that the present policy statement on abortion should facilitate the amendment of current legislation in order to reduce or prevent maternal deaths and disability linked to unsafe abortions. Some MCJ proposals concerning amendments to the Offences Against the Person Act include:

- The right of a medical practitioner to determine the safety of a pregnancy for both mother and child
- Standards to ensure that the procedure is done by a trained practitioner and under sterile and safe conditions, and to allow professionals to refer women to larger medical facilities, without fear of being penalized, if unforeseen complications arise
- The establishment of clinics or use of areas in existing family planning clinics, to allow women's access to safe services and pre-and post-abortion counselling.

Ques. 23

23a. The most recent data on Maternal Mortality Ratio (MMR), the causes of maternal death and the steps taken by government to reduce maternal death

Maternal Mortality Ratios 2000-2005 (per 100,000 Live Births)

	Years					
Health Indicator	*2000*	*2001*	*2002*	*2003*	*2004*	*2005*
Maternal Mortality Ratio (per 100,000 Live Births)**	111.0*	106.2**	106.2**	106.2**	106.2**	95***

Source: Statistical Institute of Jamaica;

* Reproductive Health Survey 1997, 2002;

** Access to Care and Maternal Mortality in Jamaican Hospitals;

*** Sectoral Debate 2005/2006.

As shown in the table above, following a consistent trend between 2000 and 2004, there was a significant reduction in the Maternal Mortality Ratio in 2005. In the 2004/2005 Sectoral Debate the Minister of Health stated that the major causes of death continue to be hypertensive disease/eclampsia, haemorrhage and sepsis.

The MOH has set a target to achieve the Millennium Development Goals (MDG's) for maternal health for Jamaica. The specific indicator for 2005 was a reduction by 10%; this target was met (See table above). The proportion of hospital births has also increased from 86 per cent in 1996 to 95 per cent in 2001, an indication that more women have become aware of the need for essential obstetric care.

The factors contributing to the improvement were the training of health staff including training in the use of partographs (instrument to monitor the progress of labour). These instruments are now being piloted in four regional hospitals. There is also increased training of midwives and all parishes now have weekly high risk ante natal clinics run by obstetricians.

Ques. 24

Under the Social Safety Net (SSN) Reform Programme that began in 2000, efforts continued at streamlining the delivery of welfare benefits and social security to needy families and individuals in a more effective and efficient manner. In light of this the protection of vulnerable population groups from risks associated with limited access remained a high priority of the Government. Reform of the legislative framework, policies towards improvement in the scope and reach of programmes, and various operational issues targeting the efficiency of resource usage, are key thrusts behind activities at a national level. The programmes and benefits are open to women and men.

The integration aspect of the reforms has introduced the linking of administrative and information systems across the Ministries of Labour and Social Security, Health, Education, Youth and Culture, and the Office of the Prime Minister. The Social Protection Programme continued to extend school feeding, school fee assistance, poor relief for indoor and out door clients, subsidized medical services, housing assistance, and various types of cash benefits. Subsequently, the greater sensitivity and application of gender issues occasioned by Beijing and international trends resulted in deliberate efforts to refine the tenets of the policy along gender lines. This process is still in progress.

The National Poverty Eradication Programme (NPEP) operates as a set of interventions targeting social, economic, physical and infrastructural development initiatives to improve the quality of life for poor families and communities. The NPEP operates on a community-based participatory approach to poverty eradication. Approximately $5.8 billion was allocated to the programme for the Financial Year 2004/2005.

In a recent report entitled, "Gender and Poverty in Jamaica", the Programme Coordinating and Monitoring Unit of the NPEP indicated that, "the Government of Jamaica is committed to gender equity in all its policies and programmes contained in the National Poverty Eradication Programme (NPEP)". In keeping with this, the NPEP has singled out women as a group for special attention in the pursuit of

eradicating absolute poverty. To this end, the NPEP has as an integral facet of its intervention, several micro enterprise loan schemes aimed at facilitating employment opportunities for the poor, especially women.

There has been some success at maintaining the national aim towards eradicating the feminization of poverty. Specific initiatives in this regard include:

Micro Investment Development Agency (MIDA)

The Government, through MIDA provides wholesale micro enterprise credit to foster job creation and poverty eradication. Access to credit is made available through Community Development Funds (CDF's). In 2005, MIDA disbursed approximately $211 million in loans, representing an increase of $63.39 million, or 42.95 per cent over 2004. A total of 1766 micro enterprises received funding in 2005, resulting in employment, generated and sustained, of 3,376 persons. Just under 60 per cent of the total number of business funded was led by women, (NPEP Annual Report 2005/2006).

School Feeding Programme

In recognition of the importance of nutrition to education, the Government has established the School Feeding Programme, which provides at least one meal a day to students in recognized basic, infant, primary, all age and secondary schools. The programme is intended to encourage regular school attendance and to enhance the learning capacity of students. There are two components to the School Feeding Programme: A Snack Programme (Nutribun and Milk/Drink), and the Traditional/Cooked Lunch Programme. Under the Snack component, Nutrition Products Limited (NPL) is responsible for the production and distribution snacks to approximately 195 000 school children island-wide. The Cooked Lunch component involves the provision of a feeding grant and commodities to schools. The cost of meals under both programmes is minimal and the policy is that no child who is unable to pay should be denied. Approximately, $1.62 billion was allocated to the programme for 2005/2006.

Programme of Advancement Through Health and Education (PATH)

PATH is a major aspect of the Social Safety Net (SSN) Reform, and involves the consolidation of the food stamp and kerosene stamp programmes, public assistance (old age and incapacity) and outdoor poor relief into a single benefit. Islandwide implementation of PATH began in 2002. Under the programme, persons in the most vulnerable groups among the poor, including children from birth to 17 years, the elderly poor, persons with disabilities, and pregnant and lactating women, receive benefits. Approximately $900 million was allocated to the programme for Financial Year 2005/2006.

Beneficiaries of the programme have received considerable increases in the level of benefits. In return, they are expected to comply with educational and health requirements aimed at improving their standard of living and breaking the intergenerational cycle of poverty.

PATH beneficiaries are also entitled to free access to other social safety net programmes such as school fee assistance and the school-feeding programme. Regarding distribution of benefits by sex, approximately 90% of PATH benefits are

paid out to women. In terms of regional distribution, 85% goes to rural communities, 2% to the Kingston Metropolitan Area and 13% to other towns (PATH Report 2004).

PATH is also a major player in the achievement of the Millennium Development Goals adopted by Jamaica in 2000.

National Health Fund (NHF)/Jamaica Drugs for the Elderly Programme (JADEP)

The NHF is a statutory body with the mission of reducing the burden of healthcare in Jamaica. This is done through provision of individual benefits to assist in meeting the cost of prescription drugs for specific illnesses and provide financial support to the public and private health sectors. Individuals over 60 years of age also receive individual benefits from the Jamaica Drugs for the Elderly Programme (JADEP), which was taken over by the NHF in 2004.

The policy of the NHF is that every person living Jamaica, diagnosed with any chronic diseases covered can access individual benefits. At the end of December 2005 the membership for NHF Individual Benefits was 195,000 broken down as follows:

- NHF — 72,000
- JADEP — 123,000

Jamaica Social Investment Fund (JSIF)

JSIF is the implementing agency for the Poverty Reduction Programme It represents a demand-driven participatory approach to poverty in which basic social services and socio-economic infrastructural development projects are delivered to poor communities island-wide. Since its establishment in 1996, JSIF has made a significant contribution to improving social capacity and empowering underserved communities. It was responsible for implementation of projects such as rehabilitation or equipping of schools, water and sanitation facilities, road repair and local capacity building. As at the end of January 2006, the Fund has completed the implementation of five hundred and eighty seven (587) projects in underserved communities, at a total cost of $3.23 billion. (NPEP report, 2005/2006).

Self Start Fund

Self Start Fund is an agency the objective of which is to promote entrepreneurship and create employment through small enterprises. As of December 2005, a total of 1,263 persons (583 males and 700 females) received loans totalling $174.06 million. Of this figure, the services sector received $136.45 million; agriculture $14.58 million and the craft sector $23.03 million. (Self Start Report January 2006).

The Jamaica National Building Society

The Jamaica National Building Society (JN) is the leading building society in Jamaica. Since October 2002 a micro credit facility, the JN Micro Credit Company, specializes in providing micro and small business loans.

In 2003, the Bureau of Women's Affairs, in observance of International Women's Day, hosted an event in collaboration with the Jamaica National Building Society. A number of women, the majority from rural areas, were exposed to the facilities of the institution's micro and small business loans. To date the programme is well used by female micro-entrepreneurs given their limited borrowing capacity. Virtually three quarters (74%) of the small business portfolio consists of loans to women. During the Financial year 2005/2006, 15,996 loans in the amount of $556.8 million were disbursed to rural women.

Prime Minister's Special Indigent Housing Programme

In the recent 2006/2007 Budget Debate, the Prime Minister announced a new Government initiative designed to provide housing for the indigent and poor senior citizens who have no means of income. $150 million will be allocated to the National Housing Trust (NHT) for this project. (Budget Debate 2006/2007 and The Daily Gleaner, May 11, 2006).

Social and Economic Support Programme (SESP)

SESP is designed to offer economic enablement and social benefits to the poor, youths and the aged. The programme supports, inter alia, emergency relief and education grants. Financial support is provided to vulnerable individuals through the Member of Parliament. Some $257 million was allocated to SESP in Financial Year 2004/2005 (ESSJ 2004).

National Vocational Rehabilitation Services for Persons with Disabilities

This Programme is intended to promote and undertake programmes that allow for disabled persons to function effectively in society. This involves identifying and registering disabled persons island wide, providing vocational educational opportunities and facilitating the inclusion of parents in the education of children with special needs.

Ques. 25 and 26

The Jamaican Government is in partnership with international donor agencies for initiatives to develop rural community women's groups with a view of enhancing economic status of these women. These donors include:

The Canadian International Development Agency (CIDA)

The Canadian International Development Agency (CIDA) continued to partner with Jamaica to address the socio-economic situation of rural residents.

The Basic Needs Trust Funds 5 (BNTF) programme is implemented by JSIF and is being funded by a grant from the Canadian International Development Agency and administered by the Caribbean Development Bank. The objective of this Programme is to improve social infrastructure and build capacity at community level. The total cost of the project is US$3.4 million consisting of a US$2.9 million grant and Government of Jamaica counterpart funding.

St. Thomas Women's Agricultural Initiative (STWAI)

The Government of Jamaica, through the Bureau of Women's Affairs entered into an agreement to lease thirty acres of privately owned agricultural land in the Potosi region in the parish of St. Thomas. The land lease was negotiated on behalf of a group of thirty women and five men in need of economic opportunity.

The St. Thomas Women's Agricultural Initiative (STWAI) which evolved through this process of direct Government intervention and funding has established an agricultural cooperative in partnership with stakeholders such as the Rural Agricultural Development Agency (RADA), The Jamaica Agricultural Society (JAS) and the Canadian International Development Agency (CIDA). The Bureau of Women's Affairs hopes this project can serve as a prototype.

Ques. 27

Ques. 27 (a)

The Gender Monitoring Checklist was developed by the Bureau of Women's Affairs in 1992 in an attempt to operationalize the 1987 National Policy Statement on Women. It was recognized that significant changes had taken place between 1987 to 1992 in terms of policy commitments and the change from Women and Development to Gender and Development. Therefore as part of Government's examination, re-orientation and re-affirmation of its national and international policy commitment to equality, the Checklist was developed to establish the current gender situation in the workplace. The instrument was to be the starting point for planning, monitoring and evaluation on policy issues concerning gender to the year 2000 and beyond.

It would appear that the Checklist has not really been utilized and that over time no specific assessment and evaluation on the workability of the Checklist itself was carried out or any review or revision made.

There was however some attempt by the Cabinet Office in 2003 to train policy analysts from the sectoral ministries, in gender analysis and planning skills. A checklist modelled from the Bureau's checklist of 1992 was constructed by a consultant to allow for gender integration in programmes and policies. It would appear that the checklist is not being made use of by those trained. Further investigations will have to be carried out to determine the reason(s) for non-use of all checklists developed.

Similarly, the Planning Institute of Jamaica sought to train its staff and also developed a Gender Equity Mechanism Toolkit to enhance the gender mainstreaming thrust in that institution. At this time, no response as to the status of this toolkit has been forthcoming.

27 (b)

Regarding scope and impact of initiatives cited in Table 25 of the Report (see CEDAW/C/JAM/5), the Bureau is unable at this time to obtain the information from the responsible agencies. Efforts continue to elicit response.

The Bureau can however comment on the PIOJ/CIDA/UNDP Jamaica Human Development Report 2000 and on the Gender Management Systems (GMS) in Health.

The Jamaica Human Development Report 2000 has been used extensively by academics, gender specialists, policy makers and students in their work and research. The companion document with gender indicators also facilitated a better understanding of gender issues for those who used it. Statistical and other information were also drawn from this Report by the Bureau to assist in the preparation of the 5th CEDAW Report.

The Gender Management Systems (GMS) in Health pilot project in Jamaica was, facilitated by the Commonwealth Secretariat. As in the case of several other Caribbean countries where this project was implemented, the project was not as successful as anticipated in Jamaica. In the Jamaican case there were some inhibiting factors. For instance: the timing of the project coincided with a re-engineering/downsizing exercise at the Ministry of Health. There was also lack of commitment from various agencies that participated in the project, lack of finances, not a clear understanding of the concept of gender and the inability to effectively communicate and to get the necessary "buy-in" of colleagues within the health sector and other participating agencies on the importance of the gender mainstreaming initiative.

There was some success however as it fostered a greater awareness of gender issues than before the GMS was introduced. Within the policy department of the Ministry of Health, the policy director at that time did integrate gender components in the strategic/corporate plan within already existing programmes. This is reflected in some of the Ministry's programme up to the present time.

27 (c)

Apart from a policy directive which was issued by the Cabinet Office in 2001 which stipulated that all public sector bodies should integrate gender concerns in all corporate and strategic plans, there has been no specific programme put in place to address gender mainstreaming initiatives. There have however been quite a number of gender mainstreaming activities being carried out on the ground by Government, NGOs and international funders. There is a recognition by the national machinery that some central monitoring system is needed to guide, monitor and evaluate the gender mainstreaming process.

The National Gender Policy presently being developed by the Gender Advisory Committee and the Bureau of Women's Affairs should address this issue.

Optional Protocol to CEDAW

Ques. 28

As a matter of policy, Jamaica has maintained its reservation to the signing of the Optional Protocol to CEDAW. The reservation is based on the tendency of international human rights bodies to adopt a broad interpretation to treaty rights provisions. The result is that it has become unpredictable as to what scope will be given to the interpretation of arguably, clear provisions. In the circumstances, the Government will continue to review the Optional Protocol and may seek to ratify

this treaty when satisfied that no unusual interpretations are likely to be given to its provisions.

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